

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA
Civil No. 11-2596 (DSD/SER)

Abdirisak Dahir Jama,

Petitioner,

v.

ORDER

State of Minnesota,

Respondent.

This matter is before the court upon the objection by petitioner Abdirisak Dahir Jama to the September 19, 2011, report and recommendation of Magistrate Judge Steven E. Rau. In his report, the magistrate judge recommends that Jama's 28 U.S.C. § 2254 petition for a writ of habeas corpus be denied and that this action be dismissed with prejudice, pursuant to 28 U.S.C. § 2244(d). Jama objects for reasons not responsive to the report and recommendation.

The court reviews the report and recommendation of the magistrate judge de novo. See 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b)(3); D. Minn. LR 72.2(b). After a thorough review of the file and record, the court finds that the report and recommendation of the magistrate judge is well reasoned and correctly disposes of the petition. Accordingly, **IT IS HEREBY ORDERED** that:

1. Petitioner's objection [ECF No. 5] to the magistrate judge's report and recommendation is overruled;

2. The magistrate judge's report and recommendation [ECF No. 4] is adopted in its entirety;

3. Petitioner's application for a writ of habeas corpus [ECF. No. 1] is denied;

4. Petitioner's application to proceed in forma pauperis [ECF. No. 2] is denied as moot;

5. This action is summarily dismissed with prejudice; and

6. Pursuant to 28 U.S.C. § 2253(c), the court denies a certificate of appealability.

LET JUDGEMENT BE ENTERED ACCORDINGLY

Dated: November 21, 2011

s/David S. Doty
David S. Doty, Judge
United States District Court